

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48103 of 2022

Arising Out of PS. Case No.-109 Year-2022 Thana- PANDAUL District- Madhubani

CHHATHU YADAV Son of Late Anup Yadav Resident of village -
Bhagwatipur, P.S.- Pandaul, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Ranjan

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Pandaul P.S. Case No. 109 of 2022 registered for the offences
punishable under Sections 272, 273/34 of the Indian Penal Code
read with Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

As per prosecution case, there is alleged recovery
of 234 litres Mc. Doweels liquor from the car in question. The
petitioner is apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 09.06.2022. Petitioner bears no



criminal antecedent. Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioner. Petitioner is neither driver nor owner of the said car.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, keeping in view clean antecedent of the petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – II-cum-Special Judge, Excise Act, Madhubani in connection with Pandaul P.S. Case No. 109 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for



cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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